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 PAUL REICHE III and ROBERT FREDERICK FORD

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

STARDOCK SYSTEMS, INC.,

Plaintiff,

v.

PAUL REICHE III and ROBERT  
 FREDERICK FORD,

Defendants.

Case No. 4:17-CV-07025-SBA

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS AND COUNTER-  
 CLAIMANTS PAUL REICHE III AND  
 ROBERT FREDERICK FORD'S MOTION  
 TO DISMISS COUNTS TWELVE AND  
 THIRTEEN OF STARDOCK'S THIRD  
 AMENDED COMPLAINT**

**[FED. R. CIV. P. 12(b)(6)]**

PAUL REICHE III and ROBERT  
 FREDERICK FORD,

Counter-Claimants,

v.

STARDOCK SYSTEMS, INC.,

Counter-Defendants.

Judge: Hon. Saundra B. Armstrong  
 Date: December 12, 2018  
 Time: 1:00 p.m.  
 Ctrm: 5

1 Defendants and Counter-Claimants Paul Reiche III and Robert Frederick Ford's  
 2 (collectively, "Reiche and Ford") Motion to Dismiss Counts Twelve and Thirteen of Stardock's  
 3 Third Amended Complaint was heard on December, 2018 at 1:00 p.m. by this Court. Having  
 4 considered all papers filed in support of and in opposition to the Motion, oral arguments of  
 5 counsel, and all other pleadings and papers on file herein, the Court finds as follows:

- 6 1. Stardock's Twelfth Count for Tortious Interference with Prospective Economic  
 7 Advantage is preempted by federal copyright law.
- 8 2. Stardock failed to state a legally sufficient claim against Reiche and Ford for  
 9 Tortious Interference with Prospective Economic Advantage.
- 10 3. Stardock's Thirteenth Count for Tortious Interference with Contractual Relations is  
 11 preempted by federal copyright law.
- 12 4. Stardock failed to state a legally sufficient claim against Reiche and Ford for  
 13 Tortious Interference with Contractual Relations.

14 Good cause appearing therefore, **IT IS HEREBY ORDERED THAT:**

- 15 1. Reiche and Ford's Motion to Dismiss Counts Twelve and Thirteen of Stardock's  
 16 Third Amended Complaint is **GRANTED**.
- 17 2. Count Twelve of Stardock's Third Amended Complaint is **DISMISSED** with  
 18 prejudice without leave to amend.
- 19 3. Count Thirteen of Stardock's Third Amended Complaint is **DISMISSED** with  
 20 prejudice without leave to amend.

21  
 22 DATED: \_\_\_\_\_

23 \_\_\_\_\_  
 24 The Honorable Sandra B. Armstrong  
 25 United States District Judge  
 26  
 27  
 28